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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

Serie 6126

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on September 1, 2006Signature *Diana Guzman*Typed or printed
nameDiana Guzman

Application Number

10/603,530

Filed

June 25, 2003

First Named Inventor

Sophie WASTIAUX

Art Unit

1754

Examiner

Colleen P. Cooke

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒ attorney or agent of record.
Registration number 55,254☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

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September 1, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/603,530
Applicants: Sophie WASTIAUX, et al.
Filed: June 25, 2003
Title: METHOD OF PROTECTING AGAINST CORROSION AT
HIGH TEMPERATURE
TC/A.U.: 1754
Examiner: Colleen P. Cooke
Docket No.: Serie-6126
Customer No.: 000040582

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Status of Claims

Claims 22 and 23 are pending in the application. Claims 1-5 were originally presented in the application. Claims 1-5 were cancelled, and claims 6-21 were added by way of Preliminary Amendment. During prosecution claims 6-21 were cancelled, 22-25 were added, and claims 24-25 were withdrawn from consideration. Claims 22 and 23 stand finally rejected as discussed below. The final rejection of claims 22 and 23 is appealed.

Status of Amendments

Amendments proposed to claim 22 after the final rejection have not been entered by the Examiner. The Examiner stated in the Advisory Action that the proposed amendment adds new matter and raises new issues that would require further consideration and searching. The Examiner also says that the proposed amendments raise issues of sufficiency of support in the specification.

Summary of Claimed Subject Matter

The present invention pertains to a method to protect equipment from corrosion. This method involves protecting joining pieces with a coating. These joining pieces are to be used to join equipment pieces together. These previously protected joining pieces are then externally welded to the pieces of equipment. The protective coating step occurs prior to the welding step. This is the summary of independent claim 22 as is currently entered. Dependent claim 23 requires that this protective coating be by aluminization.

The proposed amendment to claim 22 adds the limitation that these joining pieces have a geometry such that there is no internal welding required.

This proposed amendment captures the very essence of the present invention, and finds support throughout the specification.

Examples of this support include, but are not limited to, the following:

- In discussing the limitations of the prior art, it is noted that “given the available welding material, the piece to be welded to the support cannot be fastened for small diameter pipework. It is therefore not possible to protect junctions directly on site” (*page 2, lines 35-38*).
- Further discussion of the limitations of the prior art, with reference to Figure 1, it is noted that “production of the weld A1 is difficult, or even impossible, using current means in pipework with a diameter less than 100 mm” (*page 5, lines 19-21*).
Note: Weld A1 is an internal weld.
- Also with reference to Figure 1, it is further noted that “producing weld A’1 is difficult, or even impossible, using current means in pipework with a diameter of less than 100 mm” (*page 6, lines 1-3*). Note: Weld A’1 is an internal weld.
- In discussing how the present invention addresses the limitations of the prior art, it is noted that “each of the connections intended to be subjected to said corrosion is

produced by *external welding* of the ends of the joining piece with said pieces of equipment" (page 3, lines 33-36, *emphasis added*).

- In further discussion of how the present invention addresses the limitations of the prior art, with reference to Figure 2, it is noted that :

"The connection is made by fitting the end of the junction piece inside the tube 1. The two pieces are then welded on the outside of the assembly formed in this way, in the space made for this purpose. The inner surface of the junction piece 3 and the part of the same piece 3 designed to be fitted inside the tube 1 are covered by aluminization. Thus there is continuity of the quality of the surface finish. The weld joint is made on the outer surface of the pieces. Thus this weld in no way affects the surface finish of the inner surfaces of the pieces which will be subject to corrosion" (page 6, lines 23-34).

- In discussing the present invention, it is also noted that "the piece 4 is protected by a surface treatment over at least the part of its surface which will be subjected to corrosion and the weld forming the junction between the pieces 1, at 1-B and 4, are located on the outer surface of the pieces" (page 7, lines 1-5).
- In discussing the present invention, with reference to Figure 8, it is noted that "at end 8-B, a junction piece is connected to the tube; the weld does not reach the inner face of the tube" (page 8, lines 30-32).
- In discussing the present invention, with reference to Figure 9, it is noted that "The weld metal does not reach the inner face" (page 8, lines 34-35).
- Also in discussing the present invention, with reference to Figure 9, it is noted that "The aluminization coating 10 is shown by the thick line on the schematic view, and by the gray zone along the inner surface of the tube on the photography; this shows that the aluminized layer at the inner surface is still present, after the welding" (page 8, line 35 – page 9, line 2).

- In summary of the present invention, it is noted that "thanks to the geometry of the junction pieces, the welds are made outside the pieces to be connected, they may therefore be used for small diameters" (*page 9, lines 13-16*).

Conclusion

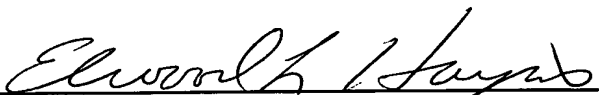
Applicant respectfully submits that this proposed amendment to independent claim 22 has support in the specification and is fully enabled by the specification.

Applicant respectfully submits that the prior art of record Bland et al. U.S. Pat. No. 2,895,747 fails to teach or disclose a system that does not require internal welds.

Therefore, Applicant respectfully submits that Bland et al. U.S. Pat. No. 2,895,747 fails to disclose every element in the proposed independent claim 22, thereby rendering the rejection under 35 U.S.C. § 102 (b) moot.

Applicant respectfully submits that this proposed amendment results in claims that are free of the prior art, and are in a condition for allowance.

Respectfully submitted,


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Date: **September 6, 2006**

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

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Diana Guzman